

[3rd August 1932]

NON-OFFICIAL BUSINESS.

Bills.

III.—THE TIRUMALAI-TIRUPATI DEVASTHANAMS BILL.

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Mr. President, I beg to present the 'Report of the Select Committee on the Tirumalai-Tirupati Devasthanams Bill (Bill No. 15 of 1931) and move—
' *that the Bill, as amended by the Select Committee, be taken into consideration*'."

Mr. R. MADANAGOPAL NAYUDU:—" I second it."

* Mr. BASHEER AHMED SAYEED:—" Sir, at the outset I must apologize for giving the impression that I am intent on postponing all matters to the next meeting of the Council. But when I am able to show to the House that sufficient time has not been given for a proper consideration of such an important measure as the one now before the House, I am sure they will agree with me that I am doing the right thing when I move the adjournment of the consideration of this Bill. I have often been told in private that I, as a Mussalman, have nothing to do with the Tirumalai-Tirupati Bill. It is true that I am not a visitor to that temple or a devotee of the deity there; it may be that I have no religious interest in the administration or the mal-administration of the devasthanams and its endowments. But all the same I have my responsibility as a Member of this House and I have my own ideas as to how religious endowments ought to be administered generally. I would be failing in my duty if I did not bring home to hon. Members that any hasty or hurried legislation will not ultimately prove beneficial to the interests that are sought to be served by it. Of course the Select Committee took a long time over the Bill and at one time it was rumoured that owing to several difficulties the Bill could not be taken up in this Council. Several of us ignored the rumour but belief in it was strengthened by the fact that notice of motion for consideration of the Bill was not given till a few days ago. That being the case several of us interested in this measure have not been able to devote sufficient time and attention to this important Bill. It is a complicated Bill and it seeks to bring into existence a machinery the implications of which are far-reaching. It encroaches on the rights of the present trustee and brings into existence various committees for managing the devasthanams. In some cases their jurisdiction is co-extensive or co-terminous, I cannot say which. The Bill has been before us only for three or four days. Nothing will be lost by postponing the consideration of this measure for a month or two, especially in view of the bitter experience we have had of hurried legislation in the past. Hon. Members who are anxious to get this Bill through can at any time apply to His Excellency through the hon. the Chief Minister and have a special meeting of the Council to consider this question. The fact that hon. Members of this House have not had sufficient time to study this subject is shown by the fact that there

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is not a single amendment to the motion now before the House. Are we to take it that the measure as it has come out of the Select Committee is so satisfactory to all the parties concerned that they have not thought it necessary to amend it? Is it as perfect as the law of Solon of olden days and should be passed into an Act straightaway? Besides, I am not sure that the Government themselves are prepared to take the Bill into consideration. I doubt very much whether the hon. the Chief Minister in the midst of his various duties has been able to devote the necessary time and attention for this question. For these reasons I move—

‘that the consideration of this Bill be adjourned to the next meeting of the Council or to some date which may be fixed for the purpose by His Excellency.’”

MR. T. S. RAMASWAMI AYYAR:—“Sir, I beg to second the adjournment motion. In doing so I desire to point out that we have had bitter experience of hurried legislation in the past. Only now we are trying to remedy the defects in the Motor Vehicles Taxation Act. These defects would not have crept in if we had been careful in the beginning not to rush the Bill through. Even the Hindu Religious Endowments Act is defective. It was only yesterday that the hon. the Chief Minister admitted that it was not possible to give effect to various clauses in the Act where district committees could not function. And for want of finance district committees could not be formed. We wanted some legislation and we got it. We created a few bodies here and there. It is not as though we considered the subject well and passed a Bill to deal with the matter. If hon. Members are sure that the Bill, as it has come out of the Select Committee, is so perfect that there is no need to touch it, if they are unanimously of that opinion, then I think it would be right to pass it at once. As the hon. the Mover of the adjournment motion pointed out there is no amendment on the paper and can it be taken to show that the Bill has attained such a perfect shape in the hands of the Select Committee that it is not necessary to change one syllable or one word in it? I cannot imagine that this House could have come to such a unanimous conclusion on a matter on which there was so much controversy only the other day when the Bill was introduced. I therefore feel strongly that, unless the House felt there was no need to touch the Select Committee's report, the consideration of the matter should be adjourned.”

* The hon. the PRESIDENT:—“The question is that the Tirumalai-Tirupati Devasthanams Bill as reported on by the Select Committee be adjourned to the next meeting of the Council or to some date which may be fixed for the purpose by His Excellency.”

* Rao Bahadur Sir A. P. PATRO:—“Mr. President, Sir, it seems to be the peculiar privilege of the hon. Mover of this motion, to ask always for the adjournment of any proposal coming before this House. He is an advocate and he knows special pleading, and he could put forward plausible grounds. Nevertheless, he has not been able to make

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out a case for himself. I am sure that, if he searches his heart, he will find that there is no ground for making this motion. I can account for his motion in one way; he is a very busy lawyer and he might not have had sufficient time to study the details of this Bill. Hon. Members know that this Bill passed through the Select Committee several weeks before and every one knows that the Select Committee has submitted its report. It is a unanimous report. It is singular and striking that there has not been any minute of dissent on the Bill from any Member of the Committee. The only note which the hon. Member, Mr. Koti Reddi, has made is a suggestion or improvement of detail and it does not affect the principles of this Bill or many details of this Bill. The fact that it has to be pleaded and advocated by a staunch Mussalman that this is a complicated measure (a measure affecting Hindu customs, Hindu rights and Hindu religious endowments) is really worthy of notice. The hon. Member, Mr. Basheer Ahmed, has the reputation of being a very staunch Mussalman. Apparently the hon. Member has begun to take interest in Hindu religious endowments as he was thoroughly ignorant of the administration or the ceremonials or functions of these endowments. We must sympathize with the hon. Member. He takes very keen interest in any matter coming before him. He has had sufficient time to manifest his great interest in the cause of Hindus and in the management of Hindu religious endowments. The hon. Member may be satisfied with his arguments, but I think the other hon. Members of the House are not. One of the arguments urged by him was that no notice of amendments to this Bill has been given, in spite of the publication of the Report of the Select Committee. The very fact that hon. Members who take great interest did not deem it necessary to send a dissenting minute shows that this Bill does not at all require any further consideration. I said, the hon. Mover himself is not convinced of his position. But he, as a Muslim Member of this House, consciously feels that a measure affecting Hindu religious endowments should not be carried through without further consideration by him.

"The hon. Member who seconded this motion repeated the arguments of the hon. Mover and said that this House is guilty of hasty legislation in the past; he pointed out the instance of the Motor Vehicles Taxation Act. If I were in his position, I would not have given this instance. It is not fair to say that the Motor Vehicles Taxation Act was not well considered. This Bill, before it became an Act, was before the country for several months. We all realize now that there have been practical difficulties in the actual working of the Act and therefore we want further modifications and further changes. There was nothing like hasty legislation in the matter of the passing of that Act. It was fully considered by all persons interested in the Bill and after full discussion in this House that Bill was passed into law. When the hon. Secunder cited this instance, he gave up his case entirely. There is absolutely no reason for saying that this is a case of hasty legislation. I would remind the hon. the Secunder of this motion that in the case of the Motor Vehicles Taxation Act,

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there were many amendments running to several pages. Although that Bill was fully considered, some hon. Members feel now that there are some defects in the actual working of the Act and they want to remedy them. I understand that the Local Self-Government Advisory Committee desire that that Act should be amended. The Tirumalai-Tirupati Devasthanams Bill has been before the public for a very long time and it has been considered several times. This Bill has come before the House from the Select Committee and I think that the time is ripe for the consideration of this Bill."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Sir, I beg to move an amendment to the motion of my hon. Friend, Mr. Basheer Ahmed. It runs as follows:—

'Delete all words after the word "adjourned" and insert the words "to another available non-official day during this meeting of the Council as the first item".'

"My reason for proposing this amendment is this. There is a feeling among some hon. Members that they have had no time to consider this important Bill. If it is indefinitely postponed, I think it will not satisfy all the Members of the House. Hon. Members desire that this Bill should be considered as quickly as possible. The Select Committee has gone into the Bill, and submitted its report, and we are anxious that this legislation should be placed on the statute book. I think that it will give general satisfaction—and I think my hon. Friend, Mr. Basheer Ahmed, would also agree—if one or two days' extra time is given so that hon. Members will have time to study the Report of the Select Committee and to give notice of the necessary amendments, which would, in their opinion, perfect the measure and which would make the Bill acceptable to the House. I hope that this amendment of mine will receive general acceptance."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I second the motion."

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I should not object to the Bill being taken up day after to-morrow. I only want that we should be sure of the work being finished. Supposing that, for any reason, we are not able to finish the consideration of the Bill on that particular day, may I know, whether the Government would be so good as to allow the Bill to be taken up on the following day, so that we might finish the consideration of the Bill at this sitting? Otherwise, we would be putting off the Bill indefinitely as we heard yesterday that there will be no meeting of the Council till November. I think it is hardly fair either to this House or to the public that the consideration of this Bill should be indefinitely put off."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Sir, His Excellency has allotted two days for non-official business. I think that it is better that we should finish the consideration of this Bill as early as possible. I do not think there is any possibility of any other non-official day being allotted."

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MR. ABDUL HAMEED KHAN:—"Sir, in supporting the amendment moved by my hon. Friend, Mr. Arogyaswami Mudaliyar, I wish to say that this Bill had a very chequered career. The report of the Select Committee had a very chequered career in the Secretariat and we did not know that this report will be placed before the Council during this session, till yesterday. It seems that the Secretariat was not quite sure whether certain sections of the Bill required the sanction of His Excellency the Viceroy or not. I do not know whether the Secretariat was right or not. On account of that fact, it was not possible for your office to include this item in the agenda early enough . . ."

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noon.

* The hon. the PRESIDENT:—"I wish to correct the hon. Member. A notice was circulated on the 12th July to hon. Members that this item would be included in the list of business. I do not think the hon. Member is correct in saying that no notice was given to hon. Members from the Legislative Council office. It was also included in the list of business issued yesterday—the only list of business issued for to-day."

MR. ABDUL HAMEED KHAN:—"Subsequent to the date of issue of notice, dated 12th July, it was considered that that notice was not valid notice, because the Secretariat was of opinion that the consent of His Excellency the Viceroy was necessary to certain clauses of the Bill. On account of that fact, the Council office had to withdraw this item of business. This item was not included in the agenda issued subsequent to 12th July. This was sprung upon the House yesterday."

"Only yesterday it was sprung upon this House suddenly. And what surprised me most was how items which come later take precedence in the agenda. As a matter of fact, we received a printed agenda in which we did not find this item. This item was given to hon. Members of this House on a typed sheet, and to-day I find that it takes precedence over other measures which occupied the first places on the agenda . . ."

* The hon. the PRESIDENT:—"May I inform the hon. Member that matters which have gone through the Select Committees and which are ripe for consideration by this House are placed first on the agenda and that as this Bill has gone through the Select Committee and the Select Committee's report is available, and therefore ripe for consideration, it is placed first on the agenda before this House? There was no agenda issued before yesterday. And this item was included in that agenda. It is not an item which is subject to the rules as to ballot."

MR. ABDUL HAMEED KHAN:—"Even in such circumstances, I thought the report on the Medical Registration Bill would come first and this Bill would come later; but I see that somehow or other this has been given precedence over even that Bill."

* The hon. the PRESIDENT:—"These Bills are earlier Bills in point of date. So under the Standing Orders, they get precedence."

MR. ABDUL HAMEED KHAN:—"Anyhow, apart from that, Sir, there is a feeling in the House that this measure should not be hurried through. Certainly, we are prepared to see that it is passed in this sitting of the House; but we do not want to have any dilatory motion

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in order to see that this is put off indefinitely. We want to see that it is passed; but at the same time, Members of the Select Committee and Members of Government will kindly admit that we, as Members of this House, should also have an opportunity to go through the report fully before we are asked to give our votes one way or the other.

"Then, Sir, I cannot understand the attitude of the Government in this matter. If they really believe that this is a very very important measure and that it should not be put off to a later date or indefinitely, the Government should come down and say, 'we shall give one more day.' I cannot understand the attitude of Government with regard to this measure. Either they do not think it is an important measure, or they should be prepared to get it through by giving us another non-official day. Therefore, Sir, I heartily support the adjournment motion and I believe hon. Members of this House will not overlook the fact that there are Members in this House who were not in a position to go through the report before to-day as they were not sure that this Bill would come up before this House in this meeting, and that at least a day's time should be given to them so that they may come prepared to give their vote either this way or that way, honestly and properly."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I oppose this adjournment motion. I wish the Government were in a position to allot one more day; but since we are not assured of that, it seems to me that it is better we go on with the Bill immediately. Sir, I am one of those who have given notice that this Bill should be taken up to-day. Certainly, we are not anxious to rush through this Bill, but when we see that the Select Committee's report is practically unanimous—there was only a minute of dissent by me which does not go into the principles of the Bill but deals with a matter of detail—and that the Council has had an opportunity of going through it to-day and considering any amendments that might be given notice of—in fact I find that no amendments have been so far tabled—Members should have taken it for granted that this Bill would be taken up for consideration at this meeting. It is not a fact that most of the Members are not aware of what is being done with the Bill; they should certainly have studied the bill and sent in their notices of amendments. Seeing that there are no such notices, I really thought that the Bill as amended by the Select Committee would be taken up for consideration and that there would be no difficulty in getting it passed. We all know, Sir, this Bill has been hanging on for a very long time. The public were very much dissatisfied with the administration of this temple, and it took a very long time for the private Members of this Council to give notice of this Bill. For a long time we were thinking that the Government themselves would take steps to reform the administration of this temple; but seeing that the Government did not take any steps, the non-official Members had to come in with their Bills. The Select Committee took evidence and received some memoranda on this matter. I do not know how many times the Select Committee sat, but they sat a number of times and after so much delay and consideration, they have made this

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report. The result is that the Bill has been amended to a very large extent. I do not think we are really rushing through this Bill now; but if we postpone it now, the public who have been all along eagerly and anxiously waiting to see some reform carried out in the temple administration, will be dissatisfied. I think we will be serving the public interests if we see that this Bill is taken up straightaway now and considered."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Mr. President, Sir, I must emphatically repudiate the suggestion made by certain hon. Members that this particular piece of legislation is being hurried through. As a matter of fact, this legislation is rather very slow and gradual. That is my grievance. If I place certain facts about it before the House, it will be clearly seen how gradual the progress of this legislation has been. The Members of the Select Committee were appointed on the 31st October 1931, and the Select Committee first met on 3rd November 1931; again they met from 11th to 15th December 1931 and then on the 5th, 7th and 8th January 1932. Finally, they met on the 4th July 1932 and made their final report. The report, Sir, as amended by the Select Committee, was published in the *Fort St. George Gazette* about two or three weeks ago. Therefore, Sir, it cannot be suggested that this legislation is being rushed through.

"With regard to the suggestion made that there was some difficulty in the matter of getting the sanction of the Governor-General of India, I may state that the movers of the Bill applied through the Local Self-Government Department of this Government to the Government of India for the sanction of the Governor-General for a particular clause and for the Bill as a whole as amended by the Select Committee. I understand that intimation was received from the Government of India yesterday that sanction has been given for the whole Bill as amended by the Select Committee. So, Sir, there is no difficulty as to the question of sanction by the Governor-General. I do not think that any objection can be raised on this account. But owing to some misapprehension or mistake, this subject was sought to be taken off the agenda. Soon after the mistake was found out, this subject was placed on the agenda. The Bill has been before hon. Members of the Council for a sufficiently long time, and if any hon. Member was interested in the Bill, he could have sent in his amendments, because he had ample time. As a matter of fact, in the case of other Bills, amendments were handed over even on the very day the Bill was taken up for discussion. So, I do not see any reason why that objection should be trotted out now.

"Then, with regard to the adjournment motion, Sir—both the adjournment *sine die* and adjournment to the next non-official day—I may say that if the Government will assure us that they will certainly give us sufficient time to see that the Bill is passed, I have no objection to an adjournment for a short period; but if that assurance is not forthcoming, I must say that we must proceed with the Bill now, because it is only fair to this House and to the public at large that we should do so."

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* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, as a Member of the Select Committee, I feel no hesitation whatsoever in saying that the Bill should be taken up for consideration at once. But I must complain against the manner in which this business is rushed. Till yesterday we had absolutely no inkling of the probability of this Bill coming up for consideration to-day. I agree there has been a notice given to hon. Members of this House that this will be one of the items for this meeting; but subsequently, news appeared, which was not contradicted—and I dare say that that news must have emanated from one of the departments—that the Bill would not be taken up now on account of some technical objections, viz., that the sanction of the Government of India was necessary. No contradiction was made of that news, and I suppose you cannot complain against hon. Members if they took that news to be authoritative. That news was further corroborated by the fact that in the agenda paper originally drafted, there was no mention of the Tirumalai-Tirupati Devasthanams Bill being taken up now. It was subsequently that a roneoed paper was attached to the printed agenda. This also shows that the department concerned was not so sure that this Bill would be taken up to-day, and so hon. Members have not sent in amendments. Now Government would not agree to extend this meeting by a day to see to the passing of this Bill. That is only in conformity with their attitude not to allot sufficient time for transacting non-official business. But that apart, if the hon. the President would be willing to suspend the Standing Order with regard to notice of amendments, having special regard to the fact that the Government would not give another day for this purpose, we have no other alternative left but to go on with this business."

Mr. T. S. RAMASWAMI AYYAR:—"Sir, speaking on the amendment of my hon. Friend Mr. Arogyaswami Mudaliyar, I would like to draw the attention of the House to the changes that have been made in the Select Committee. The hon. Member for Ganjam referred to the fact that it was such a good measure, that it had the unanimous support of the Select Committee and that it comes to this House as a measure which ought to be accepted without any discussion, as it were. And in support of that, he said that the fact that there were no amendments given notice of, showed that the Bill was a very good one. May I draw the attention of the hon. Member for Ganjam to the Bill as it was originally introduced in this House and to that as amended by the Select Committee? I would ask the hon. Member for Ganjam and other hon. Members of this House if they can see the original Bill in any form after it emerged out of the Select Committee. I find from the Bill of the Select Committee that the changes made are so great that the big pica printing that is used for denoting changes occupies almost the whole of each and every page. You will find that very few lines or perhaps very few words even, are the same as they were in the original Bill. Does it show that the Select Committee has agreed with the views of the Council at the time the Bill was originally brought before this House?"

Rao Bahadur Sir A. P. PATRO:—"The whole Bill has been properly drafted."

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Mr. T. S. RAMASWAMI AYYAR:—"So much wisdom has now been claimed for the Select Committee that it is said that the Select Committee's improvement of the Bill is so great that the Bill as originally drafted and introduced in this House cannot be recognized in its original form at all after it emerged from the Select Committee. Does it show that the framers of the Bill badly drafted it then and that, therefore, it could not be passed by this House as it was? We also see from the speeches of the hon. Members who sat in the Select Committee that it is a case of out-heroding Herod. They say, they are very anxious that the Bill should be got through and that no further notice is necessary. Perhaps, so far as they are concerned, no further notice is necessary because they were Members of the Select Committee posted with all the information; they attended the Select Committee meetings and knew what the Bill is in its present form. But, can they not give credit to other Members when they want to find out what the changes are and whether such changes are for the better or for the worse? It is not my object here to stand up on behalf of a dilatory motion. I am as anxious as every other Member of this House that this Bill, when once it has come before this House after going through the Select Committee stage, should receive early consideration. But what I am surprised at is that no chance is given to hon. Members to study the subjects before they are passed. I refer to the passing of another Bill. It was only yesterday I think that because we had not enough time and the Council was not likely to meet before November or December, we were perforce obliged to come to a decision on the Orissa Report. It is a question of our being asked: 'now or never; when things are placed before you, give your decision immediately; it may be wrong or it may be right, but we want an immediate decision.' I would ask hon. Members whether that is the right attitude which a Legislative Council should take, especially after the experience we have had in respect of other Bills. It should not be difficult, with due deference to the hon. the Leader of the House, for us to get another day. After all, the Legislative Council is anxious to do its duty, and if we ask for a day's adjournment, it is not because we want to put off things indefinitely. We are anxious that the Bill should be considered fairly and well and that the considered decision of the Legislative Council should be given. Why this unseemly hurrying through and then finding out that we have gone wrong? After all, one or two days' postponement is not going to affect the merits of the Bill."

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AHMED MIRAN SAHIB Bahadur:—"Mr. President, Sir, I move—
'that the Tirumalai-Tirupati Devasthanams Bill, as reported by the Select Committee, be circulated for public opinion.'"

The motion was duly seconded.

* The hon. the PRESIDENT:—"The motion is—

'that the Bill, as reported by the Select Committee, be circulated for public opinion.'

"That motion also is now for discussion."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, I oppose this motion as well as the other motion for adjournment that

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the Bill be taken up at the next meeting or to have it taken up in February or March. As it is, it is very unfortunate that such amendments should have been moved from the other side by prominent members of one community. It so happens that this motion for adjournment was moved by Mr. Basheer Ahmed and seconded by Mr. Hameed Khan (Voices: No, no, by Mr. T. S. Ramaswami Ayyar). Then, Sir, this motion for circulation for eliciting public opinion has been moved by another member of the Muslim community. We, most of the members of the Hindu community, have got considerable misgivings that if this is not taken up immediately there is every danger of the measure being postponed indefinitely. I strongly urge that this Bill should be taken up immediately. As hon. Members of the House know, we have taken evidence also at great length on this measure and as my hon. Friend Mr. Manikkavelu Nayakar pointed out, it is also noted in the report of the Select Committee. So, it cannot be said that it is being rushed through. On a perusal of the report of the Select Committee, it will be clear that the Committee sat for a number of days and it was presided over by no less a person than Rao Bahadur T. A. Ramalingam Chettiyar. I appeal to every Member of the House to take up this question immediately."

* MR. BASHEER AHMED SAYEED:—"Sir, I do not want that hon. Members of this House should misunderstand the attitude taken up by certain sections of this House. When it is remembered, as Members of this House, every Member—I believe hon. Members on the opposite side of the House will concede—has a right to have recourse to all ways and means provided for by the rules and the standing orders governing the procedure in the Legislative Council, to see that when any Member of any section thereof feels that great injustice is likely to be done to a cause by hurried legislation of this kind for which there is no urgency pointed out so far, I do not think that there is any justice or fairplay on the part of hon. Members who oppose on the ground that the motion for adjournment or for circulation to elicit public opinion is moved by any motive or for other reasons. On the other hand, the Bill that was before the Select Committee is not the Bill that is now before the House. That would be very patent on a mere perusal of the report of the Select Committee and the Bill as reported upon by the Select Committee. It was within the province of the Select Committee, no doubt, to consider the principles that have been subscribed to by this House, and consistent with the principles that have been agreed to by this House, to so amend or alter the various clauses of the Bill as to carry out the intentions of the Legislature when the original Bill was sent on to the Select Committee.

"Now, Sir, I ask whether hon. Members will be able to say that the Bill and the principles as were referred to the Select Committee are the same as they are now? Not in the least. Every clause has undergone a change not merely in the form but in the substance and in the spirit. I do not think that the Select Committee had any justification in changing the principles that were subscribed to by this House. On the other hand, they should have kept themselves

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in accordance with the principles that were agreed to and subscribed to by this Council and not gone about making changes as they have done. Even supposing for a moment that the Select Committee has carried out the principles that were agreed to by this House, I would only ask hon. Members whether it is not fair or reasonable that time should be given for public opinion to settle on the great issues that have been raised in this Bill.

"The Select Committee have, in section 1, stated that they have extended the principles of this Bill to the educational institutions specified in Schedule II. That was not the object of this Council at all when the Bill was referred to them and now when such an important extension has been made, is it not fair that the public also should have sufficient time given to them in order to settle its opinion on a question like this? Again, Sir, if you go through the second sub-clause of clause 2 of the Bill, it says that the Tirupati Devasthanams Schools Act of 1914 is hereby repealed. This was not originally included in the Bill that was referred to the Select Committee. Then again, Sir, there are various other variations from the original Bill. For instance, the constitution of the Committee has been thoroughly changed and that was not exactly the purpose with which this Bill was brought into existence before it was referred to the Select Committee. If you go through the other clauses, you will find that the whole Bill has been altered to the very foundations. Even granting that it was right, why not the public and those other bodies which are interested in a legislation of this kind be given an opportunity to express their opinion on the various alterations made by the Select Committee?

"After all, Sir, what is the time that has elapsed between the republication of this Bill and its introduction to-day for being taken into consideration? Not even a full month has elapsed since the Bill was republished. I would therefore say that at least now, if hon. Members, who are really representing constituencies to which they hold themselves responsible, are going to do justice to their constituencies, it is but right on their part that the public should be allowed an opportunity to express what exactly their opinion is on the drastic changes made in the Bill by the Select Committee.

"So far, to my knowledge, nothing seems to have taken place in connexion with this amended Bill in any public meeting or association or by any public body. But there is no material to show that the public has taken into consideration the Bill as reported upon and amended by the Select Committee. In the absence of any opinion from the public, it is but reasonable that this Bill should be circulated for eliciting public opinion and after that we should take the Bill into consideration and nothing will be lost until that is done. After all, this is an important measure seeking to restrict the liberties of certain people, seeking to nullify the various schemes, seeking to reconstitute the whole administration and attempting to do so many other things. So, the public have every right to say what they have to

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say on the Bill, and the only method by which public opinion can be elicited will be by deferring the consideration of this Bill."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, I am sorry that a motion like this should have been brought forward by my hon. Friend Mr. Basheer Ahmed to adjourn the discussion of this matter and also that he should have thought it fit to support it by reference to high principles which, to my humble intelligence, do not seem to apply to this case. Sir, this is a Bill which evoked a lot of attention in the country and up to almost the day on which we published the report of the Select Committee, there were meetings and representations sent by various people and by various other associations. If I remember aright, even at the last meeting of the Select Committee, we received some representations with reference to what ought to be put in the Bill, but the moment the Select Committee reported and the report was published in the papers, there was no sort of representation, no sort of public agitation and no sort of protest anywhere. If this means anything, it can only mean that in spite of the very strong and very widespread interest the matter evoked, this Bill as amended has met with approval of most of the people concerned and that is why we have not heard any protest or representation of any sort with reference to the Bill after the report of the Select Committee was published. The report of the Select Committee and the Bill, as amended by it, were published in the Gazette on the 12th July and it is now three weeks since its republication. (Mr. Basheer Ahmed Sayeed: Is that enough?) Sir, during all these three weeks, I have been noting whether there was any reference to the Bill as amended by the Select Committee either in the papers or in any proceedings of any meetings which have been held. On the other hand, it is a matter of some gratification that our labours in the Select Committee have met with the general approval of the people and that there is not even correspondence in the papers attacking the provisions of the amended Bill. Such being the case, for anybody to come to the Council and say, 'this is a very important Bill, it has gone through several amendments in the Select Committee, and so its progress ought to be adjourned again,' seems to me to talk without brief. If really there were some objections raised by people elsewhere and if any Member comes to the House and says, there have been objections to the Bill and that the House should consider all of them, I can quite understand the position, but when there is absolutely no sort of protest or objection in the Press or on the platforms with reference to this Bill as amended, for a Member to come and say 'I failed to read the Bill, not because notice was not given to me about it, not because the Select Committee report and the amended Bill were not circulated to me, but because I was under the impression that on account of something which appeared in the Press that the Bill may not come up before this meeting and on that account it ought to be postponed' seems to me is not a fair way of asking for the postponement of the Bill. Sir, in view of what some of the Members said that they were misled by something that appeared in the papers and that they might not have read the Bill and the

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report of the Select Committee, I thought the Government might have consented to allot some more time and allowed the Bill to be taken up to-morrow, but seeing the attitude of the Government and seeing that they are not prepared to give another day if necessary for the consideration of the Bill, I think we have to press the original motion (Mr. Abdul Hameed Khan: 'Is the Opposition to swallow that?') Whether you swallow it or not, nothing can be done. We know the Government is unreasonable, but that is no reason why we should not go through the Bill. Sir, this measure has been before the country for the last 15 months and such being the case, I do not think we will be justified in postponing its consideration still further, in this case, for three months more. This is practically the chief work for this session if I can see aright, and we will not be justified in postponing it altogether. For these reasons, I support the original motion for taking this into consideration and oppose the motion for adjournment."

12-30
p.m.

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, Sir, this is a Bill which has been given notice of by Members on both sides of the House. In the Select Committee also, all the parties have been represented and particularly the Hindu section have been unanimous, as also my hon. Friend Mr. Yakub Hasan and Mr. Yahya Ali who also participated in the Committee. Two days have been allotted by His Excellency for non-official work and it is more than sufficient, as is evident from the Bill itself, when both sections are agreed to the provisions of it, to get through the Bill in two days. I should even consider one day is sufficient. The objection taken, namely, that Government are unreasonable in not giving another day is, I think, not justifiable. (Laughter.) (Mr. Basheer Ahmed Sayeed: It was not intended against you.) Far from it, if only the non-official Members would agree to see the Bill passed, I cannot see why it cannot be passed in one day, or at the most two days. And if that too is not found enough it might be taken on another non-official day. I see there is unanimity of opinion in this House that the Bill should be taken up in this sitting itself. So, I don't agree to the adjournment of the consideration of this Bill."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, the amendment that I proposed was not with a view to postpone the Bill indefinitely, but only to see that the opinion of the House is given adequate expression in this matter. If the matter is one of choice, I should prefer to take up the Bill immediately. I think Government are not reasonable in not giving an extra day, if necessary. In fact this Bill might become a controversial measure although there is unanimity with regard to its being taken up immediately, for it might easily provoke a great deal of opposition. So I am not sure whether one day would be sufficient. Even two days might not be sufficient. I think the distinction made between official days and non-official days, and official work and non-official work is most unreasonable. For, after all, what are the non-officials doing? We are only doing official work, and so why do you make a distinction between official days and non-official days and official work and non-official work? When you are notable to finish the official work in the number of allotted days,

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are you not allotting an extra day? In the same way, why can't you allot to us an extra day if the non-official work is not finished within the prescribed time? I think Government are unreasonable in this. Mr. President, I don't wish to press my amendment; I beg to withdraw it."

The amendment was, by leave, withdrawn.

* The hon. the PRESIDENT:—"The question is—

'that the Bill as reported on by the Select Committee be circulated for public opinion.'"

The amendment was lost.

* The hon. the PRESIDENT:—"I will now put the motion of Mr. Basheer Ahmed Sayeed to the vote of the House. (After a pause.) The question is—

'that the consideration of the Tirumalai-Tirupati Devasthanams Bill be adjourned to the next meeting of the Council or to some date which may be fixed for the purpose by His Excellency.'"

The amendment was declared lost. Mr. Basheer Ahmed Sayeed demanded a poll and the House divided thus:—

Ayes.

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| 1. Mr. K. A. Nachiyappa Gounder. | 3. Mr. T. S. Ramaswami Ayyar. |
| 2. „ Basheer Ahmed Sayeed. | |

Noes.

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| 1. The hon. Khan Bahadur Sir Mahmomed Usman Sahib Bahadur. | 28. Mr. M. S. Sreshta. |
| 2. „ Diwan Bahadur Sir M. Krishnan Nayar. | 29. „ P. C. Moses. |
| 3. „ Sir Archibald Campbell. | 30. „ P. V. Rajagopala Pillai. |
| 4. „ Mr. H. G. Stokes. | 31. „ P. Bayappa Reddi. |
| 5. „ Diwan Bahadur S. Kumaraswami Reddiyar. | 32. „ R. M. Palat. |
| 6. „ Mr. P. T. Rajan. | 33. Rao Bahadur R. K. Venugopal Nayudu. |
| 7. „ Diwan Bahadur B. Muniswami Nayudu. | 34. Rao Sahib V. Dharmalingam Pillai. |
| 8. Mrs. K. Alamelumangathayaramma. | 35. The Raja of Bobbili. |
| 9. Mr. C. E. Jones. | 36. The Raja of Kallikote. |
| 10. „ J. A. Thorne. | 37. The Kumara Raja of Venkatagiri. |
| 11. „ H. M. Hood. | 38. The Zamindar of Mirzapuram. |
| 12. „ R. Madanagopal Nayudu. | 39. Mr. M. A. Muthiah Chettiyar. |
| 13. „ S. H. Slater. | 40. „ A. V. Bhanaji Rao. |
| 14. „ E. Conran Smith. | 41. „ J. A. Davis. |
| 15. „ T. Sundara Rao Nayudu. | 42. „ Daniel Thomas. |
| 16. Khan Sahib Syed Tajuddin Sahib Bahadur. | 43. Swami A. S. Sahajanandam. |
| 17. Mr. V. M. Ramaswami Mudaliyar. | 44. Pandit Ganala Ramamurti. |
| 18. „ K. P. Raman Menon. | 45. Rao Sahib P. Subrahmanya Chetti. |
| 19. Rao Bahadur A. T. Pannirselvam. | 46. The Zamindar of Kirlampudi. |
| 20. Mr. K. C. M. Venkatachalam Reddiyar. | 47. Rao Sahib C. Jayaram Nayudu. |
| 21. „ G. Ranganatha Mudaliyar. | 48. The Zamindar of Chemudu. |
| 22. „ M. B. Rangaswami Reddi. | 49. Mr. D. V. Narasimhaswami. |
| 23. Rao Sahib N. Siva Rai. | 50. „ K. Kesava Ramamurti Nayudu. |
| 24. Subadar-Major S. A. Nanjappa Bahadur. | 51. Mahboob Ali Baig Sahib Bahadur. |
| 25. Diwan Bahadur C. S. Ratnasachapati Mudaliyar. | 52. Dr. P. Subbarayan. |
| 26. „ M. Gopalaswami Mudaliyar. | 53. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 27. Mr. B. P. Sesha Reddi. | 54. Rao Bahadur T. A. Ramalingam Chettiyar. |
| | 55. Mr. Sami Venkatachalam Chetti. |
| | 56. Khan Bahadur Mahmud Schamnad Sahib Bahadur. |
| | 57. Rao Bahadur T. M. Narayanaswami Pillai. |
| | 58. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |

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Noes—cont.

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| 59. Mr. V. P. Narayanan Nambiyar. | 72. Mr. C. Basu Dev. |
| 60. „ M. A. Manikkavelu Nayakar. | 73. Rao Sahib D. Krishnamurti. |
| 61. „ A. B. Shetty. | 74. Mr. V. T. Arasu. |
| 62. „ G. Simbachalam Pantulu. | 75. „ G. Sriramulu. |
| 63. „ Abdul Hameed Khan. | 76. „ H. M. Jagannatham. |
| 64. The Pattagar of Palayakottai. | 77. Khan Bahadur T. M. Moidoo Sahib Bahadur. |
| 65. Mr. A. Ranganatha Mudaliyar. | 78. Rao Bahadur R. Srinivasan. |
| 66. „ K. Koti Reddi. | 79. Mr. G. R. Premayya. |
| 67. Rai Sahib C. Kolanda Reddi. | 80. „ G. Lakshmana Reddi. |
| 68. Mr. J. Kuppaswami Choudari. | 81. „ C. Krishnan. |
| 69. „ C. Satyanarayana Choudari. | 82. „ P. Peddi Raju. |
| 70. Rao Bahadur Sir A. P. Patro. | 83. „ T. Narasa Reddi. |
| 71. The Maharaja of Venkatagiri. | |

Neutral.

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| 1. Sriman M. G. Patnaik Mahasayo. | 8. „ F. Birley. |
| 2. Ahmed Miran Sahib Bahadur. | 9. „ F. G. Stanes. |
| 3. Mr. U. C. Subrahmanya Bhatt. | 10. „ F. E. James. |
| 4. „ K. S. Sivasubrahmanya Ayyar. | 11. S. M. K. Beyabani Sahib Bahadur. |
| 5. „ C. R. Parthasarathi Ayyangar. | 12. Mr. M. P. Madhusoodhanan Thangal. |
| 6. „ F. G. Luker. | |
| 7. Mr. A. W. Hutton. | |

Ayes 3; Noes 83; Neutral 12.

The amendment was lost.

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I move—

'this question be taken up for consideration soon after the lunch hour'.

Mr. SAMI VENKATACHALAM CHETTI:—"In order to facilitate giving notice of amendments, if any."

Mr. T. S. RAMASWAMI AYYAR:—"On a point of order, Sir, may I know whether it is possible for hon. Members to give notice of amendments now?"

Mr. SAMI VENKATACHALAM CHETTI:—"It is possible to give notice."

* The hon. the PRESIDENT:—"I think it is possible to accept notice of amendments."

"The question is—

'that the consideration of the Bill be taken up as the first item in the afternoon after lunch'.

The motion was carried.

IV.—A BILL TO AMEND THE MADRAS MEDICAL REGISTRATION ACT, 1914 (BILL No. 28 OF 1932).

Mr. DANIEL THOMAS:—"Mr. President, Sir, I beg to present the Report of the Select Committee on the Bill to amend the Madras Medical Registration Act, 1914, and I move—

'that the Bill, as amended by the Select Committee, be taken into consideration.'

"In doing so I wish to say a few words. The Government of Madras appointed a special committee in 1921 to go into the indigenous systems of medicine in this province. It was presided over by the present Home Member, and one of the unanimous recommendations of that committee was as follows:—

'The Medical Registration Act, Act IV of 1914, should be amended on the lines of section 26 (2) of the United Provinces Medical